

MARCH 2011 MONTH IN REVIEW – FEDERAL COURT ACTIVITY

United States Attorney's Office, Northern District of Indiana

Hammond, Indiana - The United States Attorney's Office announced:

Sanuel Johnson, 34, of Gary, Indiana, was charged in an indictment returned on March 2, 2011, with being a felon in possession of a firearm. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives HIDTA Task Force and the Gary Police Department. This case has been assigned to and will be prosecuted by Assistant United States Attorney Dean Lanter.

Carl Ross Agnew, 27, of Lafayette, Indiana, was charged in an indictment returned on March 2, 2011, with one count of distribution of child pornography and one count of possession of child pornography. These charges were filed as the result of an investigation by the Federal Bureau of Investigation. This case has been assigned to and will be prosecuted by Assistant United States Attorney Jill Trumbull Harris

Nigle Mayes, Jr., 33, of Gary, Indiana, pled guilty before Senior Judge Rudy Lozano to count one of an indictment charging him with receipt of child pornography. Sentencing has been set for 6/3/11. These charges were filed as the result of an investigation by the U.S. Immigration and Customs Enforcement Office of Homeland Security Investigations, the Indiana State Police, and the Carmel, Indiana Police Department. This case is being prosecuted by Assistant United States Attorney Jill Trumbull-Harris.

Kenneth Harris was sentenced by Senior Judge Rudy Lozano to 180 months imprisonment and 5 years of supervised release after pleading guilty to count one of an indictment charging him with conspiracy to manufacture and distribute Methamphetamine in the case *US v Kasper et al.* This case was the result of an investigation by the Drug Enforcement Administration, the Porter County Sheriff's Office, the Jasper County Sheriff's Office, the Valparaiso Police Department, the Kouts Police Department, and the Porter County Prosecutor's Office. This case was prosecuted by Assistant United States Attorney David Nozick.

Darryl Shaw, 28, of Chicago, Illinois, was sentenced by Chief Judge Philip Simon to 21 months imprisonment and 4 years of supervised release after pleading guilty to count one of an indictment charging him with possession with the intent to distribute 5 grams or more of crack cocaine. This case was the result of an investigation by the Drug Enforcement Administration. This case was prosecuted by Assistant United States Attorney Joshua Kolar.

Gabriel Rodriguez, 31, of Whiting, Indiana, was sentenced by Chief Judge Philip Simon to 21 months imprisonment and 3 years of supervised release after pleading guilty to count two of an indictment charging him with distribution of cocaine in the case *US v Alvelo et al.* This case was the result of an investigation by the Drug Enforcement Administration HIDTA Task Force. This case was prosecuted by Assistant United States Attorney Jacqueline Jacobs.

Antquane Thomas, 25, of Gary, Indiana, was sentenced by Judge Lozano to 24 months imprisonment followed by 3 years of supervised release following his felony conviction for receiving a nine millimeter semi-automatic pistol while he had pending felony charges against him. In February 2010, while Thomas had pending state felony charges for domestic battery in the presence of a child and for strangulation, Thomas lied on a federal form in purchasing a nine millimeter, semi-automatic pistol with an extended 30 round large capacity magazine. In July 2010, Thomas unlawfully received two additional semi-automatic pistols, with one containing another extended 30 round large capacity magazine, while he still had pending the aforementioned state felony charges. The unrelated state felony charges for domestic battery in the presence of a child and for strangulation remain pending. Thomas has been given 30 days to report to the Bureau of Prisons. This case was investigated

by the ATF/HIDTA Task Force and Gary Police Department. This case was prosecuted by Assistant United States Attorney Dean Lanter.

Samuel Gant, 36, of Gary, Indiana, pled guilty before Judge Joseph Van Bokkelen to count one of an indictment charging him with being a felon in possession of a firearm. Gant has a prior federal felony conviction for battery in 1998. Sentencing has been set for 5/26/11. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives HIDTA Task Force, and the Gary Police Department. This case is being prosecuted by Assistant United States Attorney Nicholas Padilla.

David Martin, 32, of Gary, Indiana, was charged by criminal complaint with possessing a firearm as a convicted felon, and possession of marijuana. According to the criminal complaint, Martin was arrested by Gary Police following a vehicle pursuit, after which the defendant fled on foot, in Gary, Indiana, on March 8, 2011. Police thereafter recovered a .45 caliber, semi-automatic pistol and a marijuana cigar from the defendant's vehicle. Martin has a prior federal felony conviction for possession with intent to distribute cocaine base, for which he served 70 months imprisonment and later served an additional 12 months imprisonment for a supervised release violation. Martin has been detained pending a detention hearing on Friday, March 11, 2011. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives HIDTA Task Force. This case is being prosecuted by Assistant United States Attorney Dean Lanter.

Emanuel Williams, 26, of Hammond, Indiana, pled guilty before Senior Judge Rudy Lozano to count one of an indictment charging him with being a felon in possession of a firearm. Williams has a prior felony conviction for possession of cocaine in 2004, and unlawful use of a weapon/vehicle in 2004. Sentencing has been set for 6/10/11. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives HIDTA Task Force, and the Hammond Police Department. This case is being prosecuted by Assistant United States Attorney Nicholas Padilla.

Gian Thompson, 23, of Chicago, Illinois, was sentenced by Senior Judge Rudy Lozano in the case *US v Blades et al.* Thompson was sentenced to 235 months imprisonment and 5 years of supervised release after pleading guilty to count one of an indictment charging him with interstate kidnapping. This case was the result of an investigation by the Federal Bureau of Investigation, and the Chicago Police Department. This case was prosecuted by Assistant United States Attorney David Nozick.

Brandon Hinkle, 32, of Gary, Indiana, pled guilty before Judge Joseph Van Bokkelen to count one of an indictment charging him with theft of government property in an unemployment insurance fraud case. Sentencing has been set for 5/24/11. These charges were filed as a result of an investigation by the U.S. Department of Labor OIG - Office of Labor Racketeering and Fraud Investigations, and the Indiana Department of Workforce Development. This case is being prosecuted by Assistant United States Attorney Thomas Ratcliffe.

Darnell Calloway, 28, of Hammond, Indiana, pled guilty before Senior Judge Rudy Lozano to count two of an indictment charging him with carrying a firearm during the commission of a Federal narcotics violation. Sentencing has been set for 6/8/11. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives HIDTA Task force. This case is being prosecuted by Assistant United States Attorney David Nozick.

Julio Cortes, 30, of Hammond, Indiana, pled guilty before Senior Judge Rudy Lozano to count one of an indictment charging him with misuse of a social security number. Sentencing has been set for 5/25/11. These charges were filed as the result of an investigation by the U.S. Immigration and Customs Enforcement Office of Homeland Security Investigations. This case is being prosecuted by Assistant United States Attorney Gary Bell.

Christopher Spears, 44, of East Chicago, Indiana, was sentenced by Senior Judge Rudy Lozano to 34 months imprisonment and 3 years of supervised release after being found guilty at trial to counts one through five of a superseding indictment charging him with fraud during an attempted purchase of firearms, aggravated identity

theft, producing false identification documents, possessing false identity documents with unlawful intent, and possessing an instrument designed to make a forged security. Spears was also sentenced after pleading guilty to theft of FEMA disaster relief funds in the case *US v McNeil et al* to run concurrently. Spears was ordered to pay restitution to Centier Bank in the amount of \$1,581.36, and \$12,637.15 to FEMA. This case was the result of an investigation by Federal Bureau of Investigation GRIT Task Force. This case was prosecuted by Assistant United States Attorney Thomas Ratcliffe.

Mark Onitiveros, 40, of Portage, Indiana, was sentenced by Judge Joseph Van Bokkelen to 135 months imprisonment and 20 years of supervised release after pleading guilty to counts one and two of an indictment charging him with receipt and possession of child pornography. Ontiveros admitted that from January 1, 2006 through June 6, 2008, he subscribed to various internet web sites which made available images of young children engaged in sexually explicit conduct, saved many of these images, and copied many to various electronic storage media, including CDs. He acknowledged that he collected in excess of 600 images of child pornography. This case was the result of an investigation by the U.S. Immigration and Customs Enforcement Office of Homeland Security Investigations. This case was prosecuted by Assistant United States Attorney Jill Trumbull-Harris.

Anthony Lee Cruz, 32, of Gary, Indiana, was charged in a one count indictment with being a felon in possession of a firearm. Cruz has prior felony convictions for being a felon in possession, making false statements in the acquisition of a firearm, and auto theft and receiving stolen auto parts. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the Hobart Police Department. This case has been assigned to and will be prosecuted by Assistant United States Attorney Nicholas Padilla.

John Wesley Sellers, 20, of Gary, Indiana, was charged in a one count indictment with being a felon in possession of a firearm and ammunition. Sellers has prior felony convictions for dealing in a sawed-off shotgun, and possession of cocaine. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives HIDTA Task Force. This case has been assigned to and will be prosecuted by Assistant United States Attorney Nicholas Padilla.

David Martin, 32, of Gary, Indiana, was charged in an indictment with being a felon in possession of a firearm. Martin has a prior felony conviction for possession with the intent to distribute cocaine base. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives HIDTA Task Force. This case has been assigned to and will be prosecuted by Assistant United States Attorney Dean Lanter.

Anthony Diangelo Thompson, 19, of Lafayette, Indiana, was charged in a superseding indictment with three additional counts of receipt of child pornography and five additional counts of distribution of child pornography. These charges were filed as the result of an investigation by the U.S. Immigration and Customs Enforcement Office of Homeland Security Investigations, and the Lafayette Police Department. This case has been assigned to and will be prosecuted by Assistant United States Attorney Jill Trumbull-Harris.

Paris Albert, 24, of Gary, Indiana, was charged in an indictment with one count of being a felon in possession of a firearm. Albert has prior felony conviction for. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case has been assigned to and will be prosecuted by Assistant United States Attorney Joshua Kolar.

Adolpho Sotelo, 25, of Indianapolis, Indiana, was sentenced by Chief Judge Philip Simon to 24 months imprisonment and 3 years of supervised release after pleading guilty to count one of an indictment charging him with conspiracy to distribute cocaine. This case was the result of an investigation by the Drug Enforcement Administration HIDTA Task Force. This case was prosecuted by Assistant United States Attorney Jennifer Chang-Adiga.

Christopher Spears, 44, of East Chicago, Indiana, was sentenced by Senior Judge Rudy Lozano to a total of 34 months imprisonment and 3 years of supervised release after being found guilty at trial to counts one through five of a superseding indictment charging him with fraud during an attempted firearms purchase, aggravated identity theft, producing false identification documents, possessing an implement designed to make a forged security, and altering a social security card. Spears was also sentenced to 10 months imprisonment, to run concurrently, after pleading guilty to theft of government money (disaster relief funds) charged in a second indictment. These cases were the result of an investigation by the Department of Homeland Security-Office of the Inspector General, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, GRIT, and the Indiana State Police. This case was prosecuted by Assistant United States Attorney Thomas Ratcliffe.

Marva Bernard, 71, of Gary, Indiana, pled guilty before Magistrate Judge Christopher Neuchterlein to count one of an indictment charging her with health care billing fraud. At Your Service Transport Provider located in Gary, Indiana, was an enrolled Medicaid provider. In 2009 and continuing in 2010, Bernard participated in and helped to execute a health care fraud billing scheme. As part of the fraud scheme, the defendant received from a co-conspirator list of Indiana Medicaid patients and their identifying information. The defendant did so without proper authorization and to facilitate fraudulent billings to Medicaid. Bernard caused fraudulent billing claims for services to be sent to Indiana Medicaid and its contracted representative for payment. In particular, the defendant caused billings and claims for reimbursement to be sent to Indiana Medicaid for transportation services that were never in fact provided. These charges were filed as the result of an investigation by the Federal Bureau of Investigation, and the Indiana Medicaid Fraud Control Unit. This case is being prosecuted by Assistant United States Attorney Donald Schmid.

Paris Straughter, 20, of Griffith, Indiana, pled guilty before Chief Judge Philip Simon to counts one and two of a of an indictment without benefit of a plea agreement charging him with bank fraud and aiding and abetting. These charges were filed as the result of an investigation by the United States Secret Service. This case is being prosecuted by Assistant United States Attorney Randall Stewart.

Alvin Hannon, 40, of Harvey, Illinois, was sentenced by Chief Judge Philip Simon to 5 months imprisonment, 5 months of home detention, and 2 years of supervised release after pleading guilty to count one of an indictment charging him with conspiracy to steal money from a program receiving federal funds in the case *US v Murff et al.* Hannon was also ordered to pay \$76,000 in restitution to Geminus Corporation. This case was investigated by the Federal Bureau of Investigation, and is being prosecuted by Assistant United States Attorney Susan Collins.

Vincent Green, 27, of Chicago, Illinois, was sentenced by Chief Judge Philip Simon to 6 months imprisonment, 6 months of home detention and 1 year of supervised release after pleading guilty to count one of an indictment charging him with conspiracy to steal money from a program receiving federal funds *US v Murff et al.* . Green was ordered to pay \$135,000 in restitution. This case was investigated by the Federal Bureau of Investigation, and is being prosecuted by Assistant United States Attorney Susan Collins.

James Gaskill, 29, of Attica, Indiana, pled guilty before Judge Joseph Van Bokkelen to count one of an indictment charging him with being a felon in possession of a firearm. Gaskill has a prior felony conviction for possession of a controlled substance. Sentencing has been set for 5/25/11. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case is being prosecuted by Assistant United States Attorney David Nozick.

Sammy Earl Jones, 27, of Gary, Indiana, pled guilty before Senior Judge Rudy Lozano to count one of an indictment charging him with stealing from the United States a Raven RX Recorder worth approximately \$9000.00. Sentencing has been set for 4/15/11. These charges were filed as the result of an investigation by the Federal Bureau of Investigation GRIT Task Force. This case is being prosecuted by Assistant United States Attorney Jennifer Chang-Adiga.

Armon Ballard, 28, of Gary, Indiana, was sentenced by Judge Joseph Van Bokkelen to 51 months imprisonment and 3 years of supervised release after pleading guilty to count one of an indictment charging him with being a felon in possession of a firearm. Ballard has prior felony convictions for delivery of a controlled substance, and possession of THC. This case was the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives HIDTA Task Force, and the Gary Police Department. This case was prosecuted by Assistant United States Attorney Nicholas Padilla.

Richard Kasper, 33, of Kouts, Indiana, was sentenced by Senior Judge Rudy Lozano to 260 months imprisonment and 10 years of supervised release after pleading guilty to count one of an indictment charging him with conspiracy to manufacture and distribute five hundred (500) grams or more of methamphetamine, and conspiracy to manufacture and distribute fifty (50) grams or more of methamphetamine. This case was part of an extensive cooperative investigation directed by the Drug Enforcement Administration, the Porter County Sheriff's Office, the Jasper County Sheriff's Office, the Valparaiso Police Department, the Kouts Police Department, and the Porter County Prosecutor's Office. Other agencies that assisted include the Bureau of Alcohol, Tobacco and Firearms, Immigration and Customs Enforcement, the Indiana State Police, the Internal Revenue Service, the Indiana Department of Natural Resources, the Hebron Police Department and the Lake County HIDTA. This case was prosecuted by Assistant United States Attorney David Nozick.

Reginald Sanders, 44, of Gary, Indiana, pled guilty before Judge Joseph Van Bokkelen to count one of an indictment charging him with making false statements in the purchase of firearms. Sentencing has been set for 6/3/11. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case is being prosecuted by Assistant United States Attorney Thomas Ratcliffe.

Courtney Washington, 26, of East Chicago, was sentenced by Judge Moody to 70 months imprisonment followed by 2 years of supervised release following his conviction for being a felon in possession of a semi-automatic firearm containing an extended magazine loaded with 28 rounds of ammunition. On July 16, 2010, the East Chicago Police Department performed a traffic stop on a vehicle, after which Washington fled on foot and was later arrested after throwing a .40 caliber, semi-automatic pistol loaded with an extended magazine containing 28 rounds of ammunition into a different vehicle belonging to him. A search of that vehicle recovered the firearm, crack cocaine, and marijuana. The firearm Washington possessed was later determined to have been a stolen firearm. Washington has three prior felony convictions, including a criminal recklessness conviction during an incident in which Washington fired a handgun at another person, and two felony possession of a controlled substance convictions. Washington also has a prior resisting law enforcement misdemeanor conviction and a prior reckless driving misdemeanor conviction. This case was investigated by the Bureau of Alcohol, Tobacco, Firearms, and Explosives HIDTA Task Force, and East Chicago Police Department. This case was prosecuted by Assistant United States Attorney Dean Lanter.

Eric Duhack, 24, of Cedar Lake, Indiana, was charged in a criminal complaint with the felony offense of being a felon in possession of a firearm. According to the criminal complaint, the ATF executed a federal search warrant on Duhack's Cedar Lake, Indiana apartment and recovered two shotguns, two semi-automatic pistols, and two rifles. Duhack has four prior felony convictions, including a federal felony firearms conviction, two state felony robbery convictions, and one state attempted robbery conviction. At the time of the current alleged offense, Duhack was on state probation. Duhack remains in federal custody pending a detention hearing. This case is being investigated by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case is being prosecuted by Assistant United States Attorney Dean Lanter.

Tashanna Standfield, 29, of Gary, Indiana, was sentenced to two years probation following her conviction for the felony offense of making materially false statements in purchasing a .223 caliber, semi-automatic pistol for another person. This case was investigated by the Bureau of Alcohol, Tobacco, Firearms, and Explosives /HIDTA Task Force and Gary Police Department. This case is being prosecuted by Assistant United States Attorney Dean Lanter.

Jose Santos IV, 25, of Hammond, Indiana, was sentenced by Chief Judge Philip Simon to 6 months imprisonment and 2 years of supervised release after pleading guilty to count two of an indictment charging him with distribution of marijuana. This case was the result of an investigation by the Drug Enforcement Administration. This case was prosecuted by Assistant United States Attorney Jacqueline Jacobs.

Husein Kanakrieh, 50, of Hendersonville, Tennessee, was sentenced by Chief Judge Philip Simon to 21 months imprisonment and 1 year of supervised release after pleading guilty to count four of an indictment charging him with food stamp fraud; and 2 years of supervised release on counts 1-3 of an Information charging him with filing false corporate income tax returns, to run concurrently. Kanakrieh ran Jordan Foods in Gary, Indiana. This case was the result of an investigation by the Internal Revenue Service Criminal Investigation, and the United States Department of Agriculture Office of the Inspector General. This case was prosecuted by Assistant United States Attorney Toi Houston.

Britanny Becker, 23, of Gary, Indiana, pled guilty before Senior Judge James Moody to count one of an indictment charging her with making false statements in the acquisition of a firearm. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case is being prosecuted by Assistant United States Attorney Thomas Ratcliffe.

Darren A. Dunham, 46, of Lafayette, Indiana, was arrested yesterday after being charged in a felony complaint with five counts of aiding in the filing of a false tax return. Dunham, a former director of Home with Hope, a drug rehabilitation center in Lafayette, Indiana, is the sole proprietor of D.A.D. Income Tax Service, which he runs out of Lafayette, Kokomo, Indianapolis, and Chicago. From about January 2010 through March 2011, Dunham solicited clients, obtained their personal information, then prepared and filed 2009 US individual income tax returns that were based on false information he manufactured claiming income not earned by the clients. The IRS processed these false returns submitted by Dunham on behalf of these clients, issuing tax refunds electronically to bank accounts owned by Dunham. Dunham would issue a check for a portion of the refund to the client, and would keep the difference. Dunham had his initial appearance before Magistrate Judge Paul Cherry and was released. Arraignment has been set for April 12, 2011.

Four employees working for, or had worked for, Quick Sam Tax Service, located in Gary, Indiana, were charged in a felony complaint with preparation of fraudulent individual income tax returns from January, 2010 to March, 2011. Chanel Bandy, 32, of Merrillville, Indiana, Britney Walker-Lipse, 30, of East Chicago, Indiana, Charles Standifer, 35, and Rhonda Murphy, 35, both of Gary, Indiana, were arrested yesterday and had their initial appearances before Magistrate Judge Paul Cherry. Each was charged with four counts of willfully aiding or assisting in the preparation of false income tax returns. These charges were filed as the result of an investigation by the Internal Revenue Service Criminal Investigation. This case has been assigned to and will be prosecuted by Assistant United States Attorney Jill Trumbull-Harris.

Sheila Chandler, 51, of Schererville, Indiana, pled guilty before Senior Judge Rudy Lozano to counts one through nine of an indictment charging her with conspiracy to commit wire fraud, and wire fraud; and counts three and four of a second indictment charging her with wire fraud. These charges were filed as the result of an investigation by the Federal Bureau of Investigation. This case is being prosecuted by Assistant United States Attorneys Jill Trumbull-Harris and Gary Bell.

Tynon Thompson, 31, of Chicago, Illinois, pled guilty before Senior Judge Rudy Lozano to count one of a superseding indictment charging him with interstate kidnapping. Sentencing has been set for 6/24/11. These charges were filed as the result of an investigation by the Federal Bureau of Investigation. This case is being prosecuted by Assistant United States Attorney David Nozick.

Tracy Butler, 43, of Gary, Indiana, pled guilty before Senior Judge Rudy Lozano to counts one and three of an indictment charging her with wire fraud and aggravated identity theft. These charges were filed as the result of

an investigation by the Federal Bureau of Investigation. This case is being prosecuted by Assistant United States Attorney Gary Bell.

The United States Attorney's Office emphasized that Complaint is merely an allegation and that all persons charged are presumed innocent until and unless proven guilty in court.

The specific sentence in each case to be imposed upon conviction will be determined by the judge after a consideration of federal sentencing statutes and the Federal Sentencing Guidelines.

South Bend, IN—The United States Attorney's Office announced:

Scott Baldwin, 39, of Bristol, Indiana, was sentenced by Judge Jon DeGuilio to 60 months imprisonment and 3 years of supervised release after pleading guilty to count three of a superseding indictment charging him with possession of a firearm while under felony indictment. This case was the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case was prosecuted by Assistant United States Attorney Frank Schaffer.

Kelly Bill, 56, of Bristol, Indiana, was sentenced by Judge Jon DeGuilio to two years of probation after pleading guilty to counts one and two of a superseding indictment charging him with being an unlawful user of a controlled substance in possession of a firearm, and being a felon in possession of a firearm. This case was the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case was prosecuted by Assistant United States Attorney Frank Schaffer.

Cordero Mainer, 21, of South Bend, Indiana, was sentenced by Judge Jon DeGuilio to 84 months imprisonment and 3 years of supervised release after pleading guilty to count one of an indictment charging him with being an unlawful user of a controlled substance in possession of a firearm. This case was the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case was prosecuted by Assistant United States Attorney William Grimmer.

Craig Kinzie, , of South Bend, Indiana, was sentenced by Judge Robert Miller, Jr. to 37 months imprisonment and 3 years of supervised release after pleading guilty to count one of a superseding indictment charging him with burglary of a controlled substance. Kinzie was ordered to pay \$40,878.92 in restitution. This case was the result of an investigation by the Federal Bureau of Investigation. This case was prosecuted by Assistant United States Attorney Frank Schaffer.

Jason Rach, 29, of Mishawaka, Indiana, was sentenced by Judge Robert Miller, Jr. to 25 months imprisonment and 3 years of supervised release after pleading guilty to count one of a superseding indictment charging him with burglary of a controlled substance. This case was the result of an investigation by the Federal Bureau of Investigation. This case was prosecuted by Assistant United States Attorney Frank Schaffer.

Donald Smith, 29, of South Bend, Indiana, was sentenced by Judge Robert Miller, Jr. to 60 months imprisonment and 4 years of supervised release after pleading guilty to count two of an indictment charging him with distribution of crack cocaine. This case was the result of an investigation by the Drug Enforcement Administration. This case was prosecuted by Assistant United States Attorney Frank Schaffer.

Raymundo Cabrales, 23, of Elkhart, Indiana, pled guilty before to counts five and six of an indictment charging him with distribution of marijuana, and possession of a firearm in furtherance of a drug trafficking crime. Sentencing has been set for 6/2/11. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case is being prosecuted by Assistant United States Attorney Donald Schmid.

Dirk Lester, 20, of Elkhart, Indiana, pled guilty before to counts four, five, and seven of an indictment charging him with distribution of marijuana, being an unlawful user of a controlled substance in possession of a firearm, and being a felon in possession of a firearm. Sentencing has been set for 6/9/11. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Mishawaka Police Department. This case is being prosecuted by Assistant United States Attorney John Maciejczyk.

Mark Warbington, 26, of South Bend, Indiana, was sentenced by Judge Robert Miller, Jr. to 60 months imprisonment and 5 years of supervised release after pleading guilty to count four of an indictment charging him with distribution of crack cocaine. This case was the result of an investigation by the Drug Enforcement Administration. This case was prosecuted by Assistant United States Attorney Frank Schaffer.

Barry Williams, 25, of Michigan City, Indiana, pled guilty before Judge Robert Miller, Jr. to count one of an indictment charging him with distribution of heroin. Sentencing has been set for 6/16/11. These charges were filed as the result of an investigation by the Drug Enforcement Administration. This case is being prosecuted by Assistant United States Attorney Frank Schaffer.

Paul Holiday, 34, of Michigan City, Indiana, and pled guilty before Judge Robert Miller, Jr., pled guilty to count four of an indictment charging him with being a felon in possession of a firearm, and unlawful transport of firearms in the case *US v Williams et al*. These charges were filed as the result of an investigation by the Drug Enforcement Administration. This case is being prosecuted by Assistant United States Attorney Frank Schaffer.

Nikko James, 21, of Michigan City, Indiana, pled guilty before Judge Robert Miller, Jr. to count six of an indictment charging with unlawful transport of a firearm in the case *US v Williams et al*. Sentencing has been set for 6/2/11. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case is being prosecuted by Assistant United States Attorney Frank Schaffer.

Darius Swanson, 22, of South Bend, Indiana, was sentenced by Judge Jon DeGuilio to 5 months imprisonment, 5 months of home detention, and 2 years of supervised release after pleading guilty to count three of an indictment charging him with being an unlawful user of a controlled substance in possession of a firearm. This case was the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case was prosecuted by Assistant United States Attorney Jesse Barrett.

Demaris Lenard, 27, of South Bend, Indiana, was sentenced by Judge Robert Miller, Jr. to 70 months imprisonment and 3 years of supervised release after pleading guilty to count two of an indictment charging him with being a felon in possession of a firearm. Lenard had a prior felony conviction for domestic violence. This case was the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives and the South Bend Police Department. This case was prosecuted by Assistant United States Attorney William Grimmer.

Darriea Lax, 24, of South Bend, Indiana, was sentenced by Judge Robert Miller, Jr. to 5 months imprisonment and 2 years of supervised release after pleading guilty to count two of an indictment charging her with unlawful transport of a firearm. This case was the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives Project Disarm Task Force. This case was prosecuted by Assistant United States Attorney Donald Schmid.

Justin Myers, 25, of South Bend, Indiana, was sentenced by Judge Jon DeGuilio to 12 months and one day imprisonment and 2 years of supervised release after being found guilty at trial to count two of an indictment charging him with making false statements to the government by stating that a firearm he purchased had been stolen, when in fact it had not. This case was the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case was prosecuted by Assistant United States Attorney Donald Schmid.

Marva Bernard, 71, of Gary, Indiana, pled guilty before Magistrate Judge Christopher Neuchterlein to count one of an indictment charging her with health care billing fraud. At Your Service Transport Provider located in

Gary, Indiana, was an enrolled Medicaid provider. In 2009 and continuing in 2010, Bernard participated in and helped to execute a health care fraud billing scheme. As part of the fraud scheme, the defendant received from a co-conspirator lists of Indiana Medicaid patients and their identifying information. The defendant did so without proper authorization and to facilitate fraudulent billings to Medicaid. Bernard caused fraudulent billing claims for services to be sent to Indiana Medicaid and its contracted representative for payment. In particular, the defendant caused billings and claims for reimbursement to be sent to Indiana Medicaid for transportation services that were never in fact provided. These charges were filed as the result of an investigation by the Federal Bureau of Investigation, and the Indiana Medicaid Fraud Control Unit. This case is being prosecuted by Assistant United States Attorney Donald Schmid.

David Carter, 75, of Mishawaka, Indiana, pled guilty before to count one of an information charging him with possession of material containing child pornography. Carter admitted in a plea agreement that he downloaded on a computer, and stored, approximately 11,000 images and 885 videos depicting child pornography. These charges were filed as the result of an investigation by the Federal Bureau of Investigation. This case is being prosecuted by Assistant United States Attorney John Maciejczyk.

William Easley, 24, of South Bend, Indiana, was sentenced by Judge Robert Miller, Jr. to 188 months imprisonment and 3 years of supervised release after pleading guilty to counts one, two, three and four of an information charging him with bank robbery by force. Easley was ordered to pay \$14,189.79 in restitution to 1st Source Bank. This case was the result of an investigation by the Federal Bureau of Investigation. This case was prosecuted by Assistant United States Attorney Donald Schmid.

Matthew Fandt, 25, of Elkhart, Indiana, was sentenced by Judge Robert Miller, Jr. to 15 months imprisonment and years of supervised release after pleading guilty to count one of an indictment charging him with unlawful transport of firearms. This case was the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the Indiana State Police. This case was prosecuted by Assistant United States Attorney John Maciejczyk.

Caleb Smith, 25, of Michigan City, Indiana, pled guilty before Judge Robert Miller, Jr. to an information charging him with unlawful transport of firearms. Sentencing has been set for 6/23/11. These charges were filed as the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. This case is being prosecuted by Assistant United States Attorney Frank Schaffer.

James A. Simon, 60, of Hometown, Indiana, was sentenced by Judge Robert Miller, Jr. to 72 months of imprisonment and 3 years of supervised release after being found guilty at trial of four counts of filing false federal income tax returns, three counts of failure to file reports of foreign bank and financial accounts, six counts of mail fraud involving private financial aid, and four counts of fraud involving federal financial aid. From 2003 to 2006, Simon received money from five business entities with which he was affiliated, located in Gibraltar, Cyprus, Colorado, and Indiana. He did not report the funds received from these entities on his federal tax returns. The Court found that Simon failed to report a total of over \$3.1 million to the IRS. Simon also did not disclose that he had an interest in foreign bank accounts held in Gibraltar, Germany and Cyprus, and did not file required "FBAR" reports with the Treasury Department regarding the foreign accounts. Further, Simon provided false information regarding his family's income and expenses on applications for private financial aid to two different schools and on applications for federal financial aid to one college. Simon is required to pay restitution to the Internal Revenue Service in the amount of \$886,901. He will also pay restitution of \$48,070 to the Department of Education, \$17,000 to Canterbury School, and \$101,600 to Culver Academy. These charges were filed as a result of an investigation by the Internal Revenue Service Criminal Investigations. This case has been assigned to and will be prosecuted by Assistant United States Attorney Jesse M. Barre

Timothy Warrick, 61, of Culver, Indiana, pled guilty before Judge Robert Miller, Jr. to count one of an indictment charging him with distribution of child pornography. Sentencing has been set for 7/5/11. These charges were filed as the result of an investigation by the Federal Bureau of Investigation. This case is being prosecuted by Assistant United States Attorney John Maciejczyk.

Jason Slavey, 37, of Warsaw, Indiana, pled guilty before Magistrate Judge Christopher Neuchterlein to count one of an indictment charging him with distribution of child pornography. These charges were filed as the result of an investigation by the Federal Bureau of Investigation Cyber-Crime Task Force. This case is being prosecuted by Assistant United States Attorney John Maciejczyk.

The specific sentence in each case to be imposed upon conviction will be determined by the judge after a consideration of federal sentencing statutes and the Federal Sentencing Guidelines.

Fort Wayne, IN - The United States Attorney's Office announced the following activity in federal court:

Robert Price, Jr., 32, of Fort Wayne, Indiana, was sentenced by Judge Theresa Springmann to 120 months imprisonment and 8 years of supervised release after pleading guilty to count one of an indictment charging him with possession with the intent to distribute crack cocaine. This case was the result of an investigation by the Drug Enforcement Administration and the Fort Wayne Police Department. This case was prosecuted by Assistant United States Attorney Lesley Miller Lowery.

Matthew McChesney, 32, of Fort Wayne, Indiana, was sentenced by Judge Theresa Springmann to 324 months imprisonment and 8 years of supervised release after pleading guilty to counts three and four of an indictment charging him with possession with the intent to distribute marijuana, and carrying and possession of a firearm in furtherance of a drug trafficking crime. This case was the result of an investigation by the Federal Bureau of Investigation, and the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Allen County Drug Task Force, and the Allen County Police Department. This case was prosecuted by Assistant United States Attorney Anthony Geller.

Miguel Hernandez-Rivera, 30, a citizen of Mexico, pled guilty before Magistrate Judge Roger Cosbey to count one of an indictment charging him with illegal reentry by a removed alien. These charges were filed as the result of an investigation by the U.S. Immigration and Customs Enforcement Office of Homeland Security Investigations. This case is being prosecuted by Assistant United States Attorney Anthony Geller.

Kevin Stephens, 43, of Fort Wayne, Indiana, was sentenced by Judge William Lee to 188 months imprisonment and 4 years of supervised release after pleading guilty to count one of an indictment him charging with distribution of crack cocaine. This case was the result of an investigation by the Drug Enforcement Administration, and the Fort Wayne Police Department. This case was prosecuted by Assistant United States Attorney Anthony Geller.

Francisco Ruiz, 29, of Fort Wayne, Indiana, was sentenced by Judge William Lee to 60 months imprisonment and 4 years of supervised release after pleading guilty to count one of an indictment charging him with possession with the intent to distribute cocaine. This case was the result of an investigation by the Drug Enforcement Administration, and the Fort Wayne Police Department. This case was prosecuted by Assistant United States Attorney Anthony Geller.

Wendy Ramirez, 26, of Fort Wayne, Indiana, was sentenced by Judge William Lee to 46 months imprisonment and 2 years of supervised release after pleading guilty to count three of an indictment charging her with maintaining a drug involved premises in the case *US v Ruiz et al*. This case was the result of an investigation by Drug Enforcement Administration, and the Fort Wayne Police Department. This case was prosecuted by Assistant United States Attorney Anthony Geller.

Addones Spencer, 38, of Fort Wayne, Indiana, was sentenced by Judge William Lee to 57 months imprisonment and 2 years of supervised release after pleading guilty to count ten of an indictment charging him with being a felon in possession of a firearm in the case *US v Lewis et al.* Spencer has a prior felony conviction for carrying a handgun without a license. This case was the result of an investigation by the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and the Fort Wayne Police Department Gang Unit. This case was prosecuted by Assistant United States Attorney Tina Nommay.

Kevin Porter, 53, of Fort Wayne, Indiana, was sentenced by Judge Theresa Springmann to 37 months imprisonment and 4 years of supervised release after pleading guilty to count one of an indictment charging him with conspiracy to distribute cocaine. This case was the result of an investigation by the Federal Bureau of Investigation Safe Streets Task Force. This case was prosecuted by Assistant United States Attorneys Anthony Geller and Tina Nommay.

Jeffrey Radabaugh, 41, of Monroeville, Indiana, was sentenced by Judge Theresa Springmann to 30 months imprisonment and 1 year of supervised release after pleading guilty to counts one and two of information charging him with filing a false tax return, and failure to file a tax return. This case was the result of an investigation by the Internal Revenue Service Criminal Investigation, and the Federal Bureau of Investigation. This case was prosecuted by Assistant United States Attorney Robert Trgovich.

Charles Dies, 53, of Fort Wayne, Indiana, pled guilty before Magistrate Judge Roger Cosbey to counts one and three of an indictment charging him with conspiracy to distribute cocaine, and possession with the intent to distribute cocaine in the case *US v Hutchins et al.* These charges were filed as the result of an investigation by the Federal Bureau of Investigation Safe Streets Task Force. This case is being prosecuted by Assistant United States Attorneys Anthony Geller and Tina Nommay.

Roberto Montemayor, Jr., 27, of Marion, Indiana, pled guilty before Magistrate Judge Roger Cosbey to count one of an indictment charging him with possession with the intent to distribute marijuana. These charges were filed as the result of an investigation by the U.S. Immigration and Customs Enforcement Office of Homeland Security Investigations, the Drug Enforcement Administration, the Indiana State Police, the JEAN Task Force, the Blackford County Sheriff's Office, and the Marion Police Department. This case is being prosecuted by Assistant United States Attorney Anthony Geller.

Bryan Schlabach, 39, of Topeka, Indiana, was sentenced by Judge Theresa Springmann to 60 months imprisonment and 5 years of supervised release after pleading guilty to all counts of indictment charging him with distribution and production of child pornography, receipt of child pornography, and possession with the intent to view material containing visual depictions of child pornography that were transported in interstate commerce. This case was the result of an investigation by the Federal Bureau of Investigation, and the Queensland, Australia Police Service. This case was prosecuted by Assistant United States Attorney Lesley Miller Lowery.

The specific sentence in each case to be imposed upon conviction will be determined by the judge after a consideration of federal sentencing statutes and the Federal Sentencing Guidelines.